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Attorneys for Defendant, Counter-Plaintiff  
Trustmark Insurance Company

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	
CLARENDON NATIONAL INSURANCE	:
COMPANY and CLARENDON AMERICA	:
INSURANCE COMPANY,	:
	:
<i>Plaintiffs,</i>	:
	:
v.	:
	:
TRUSTMARK INSURANCE COMPANY	:
	:
<i>Defendant.</i>	:
-----X	

09 cv 9896 (BSJ)

**NOTICE OF MOTION  
AND MOTION**

**PLEASE TAKE NOTICE** that upon the accompanying Defendant and Counter-Plaintiff's Memorandum of Law in Support of Its Motion for Summary Judgment, Rule 56.1 Statement of Undisputed Material Facts in Support of Its Motion for Summary Judgment, and Declaration of Raymond J. Lester, Esq. (and exhibits thereto), and any other submissions that shall be made in support of this motion, Defendant and Counter-Plaintiff Trustmark Insurance

Company, by its undersigned counsel, makes a motion before this Court before the Honorable Barbara S. Jones, United States District Court for the Southern District of New York, for an order pursuant to Fed. R. Civ. P. 56:

1. granting Summary Judgment in its favor on Counts I through VI of Plaintiffs and Counter-Defendant's Complaint for breach of contract and declaratory judgment;

2. granting such other relief as this Court deems just and proper, including attorney's fees and costs to the extent allowed by law.

DATED: November 19, 2010

SCHIFF HARDIN LLP

By: /s/ Everett J. Cygal

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ATTORNEYS FOR THE  
TRUSTMARK INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I, Everett J. Cygal, hereby certify that on November 19, 2010, a copy of the Notice of Motion and Motion, Defendant and Counter-Plaintiff's Memorandum of Law in Support of Its Motion for Summary Judgment, Defendant and Counter-Plaintiff's Rule 56.1 Statement of Undisputed Material Facts in Support of Its Motion for Summary Judgment, and Declaration of Raymond J. Lester, Esq., were filed with the Clerk of the Court and served on the following counsel of record via the Court's CM/ECF system:

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